

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : HETE et al.  
Appln. No. : Not Yet Assigned (CIP of Appln. No. 10/135,260)  
Conf. No.: : Unknown  
Filed: : April 16, 2004  
Title: : INSUFFLATION SYSTEM AND METHOD  
Group Art Unit : Unknown  
Examiner : Unknown  
Docket No. : 98-13 C3

\* \* \* \* \*

April 19, 2004

### INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

This Information Disclosure Statement is being filed within 3 months of the filing date of this application.

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Nos. 10/135,260, filed April 30, 2002, now U.S. Patent no. 6,722,362; 09/596,389, filed June 16, 2000, now U.S. Patent no. 6,439,228; and 09/453,303,

#### **CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on April 19, 2004 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EL 997387633 US.

*Michael W. Haas*

Michael W. Haas, Reg. No. 35,174

HETE et al. -- Appln. No.: Not Yet Assigned  
CIP of Appln. No. 10/135,260

filed December 2, 1999, now U.S. Patent no. 6,102,042, of which the present application relies upon for an earlier filing dated under 35 U.S.C. § 120. Therefore, no such copy is required to be submitted by the applicant with this Information Disclosure Statement per 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

Fax No.: (724) 387-5021

RESPIRONICS, INC.  
1010 Murry Ridge Lane  
Murrysville, PA 15668-8525  
1-800-638-8208

<b>PTO/SB/08 Form (RESPIRONICS Version)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			<b>Application No.</b>	Not Yet Assigned
			<b>Filing Date</b>	April 19, 2004
			<b>Inventor</b>	HETE et al.
			<b>Confirmation No.</b>	Unknown
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<b>Date</b>	April 19, 2004		<b>Examiner:</b>	Unknown
<b>Sheet</b>	1	of 3	<b>Attorney Docket No:</b>	98-13 C3

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
	A	3,788,326	01-1974	Jacobs	
	B	4,417,573	11-1983	De Vries	
	C	4,488,548	12-1984	Agdanowski	
	D	5,088,486	02-1992	Jinotti	
	E	5,140,983	08-1992	Jinotti	
	F	5,186,167	02-1993	Kolobow	
	G	5,193,533	03-1993	Body et al.	
	H	5,255,675	10-1993	Kolobow	
	I	5,279,288	01-1994	Christopher	
	J	5,291,882	03-1994	Makhoul et al.	
	K	5,419,314	05-1995	Christopher	
	L	5,515,844	05-1996	Christopher	
	M	5,538,002	07-1996	Boussignac et al.	
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	O	5,605,149	02-1997	Warters	
	P	5,606,968	03-1997	Mang	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				

<b>Examiner Signature</b>		<b>Date Considered</b>	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

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		Number-Kind Code (if known)			
	Q	3,628,532	12-21-1971	Magrath	
	R	4,520,812	06-04-1985	Feritag et al.	
	S	4,646,733	03-03-1987	Stroh et al.	
	T	5,036,847	08-06-1991	Boussignac et al.	
	U	5,626,131	05-1997	Chua et al.	
	V	5,687,714	11-1997	Kolobow et al.	
	W	5,730,123	03-1998	Lorenzen et al.	
	X	5,740,796	04-1998	Skog	
	Y	5,788,680	08-1998	Linder	
	Z	6,102,042	09-2000	Hete et al.	

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<b>Sheet</b>	3	of	3	<b>Attorney Docket No:</b>	98-13 C3

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	AA	Alexander B. Adams MPH RPT, "Tracheal Gass Insufflation (TGI)," Respiratory Care, Vol. 41 No. 4, 1996, pages 285-291	
	BB	John J. Marini et al., "Physiological Basis of Ventilatory Support," Library of Congress Cataloging-in-Publication Data, 1998, pages 1021-1045	
	CC	John J. Marini, "Tracheal Gas Insufflation: A Useful Adjunct to Ventilation ?", Thorax, Vol. 49 1994, pages 735-737	
	DD	G. Nakos et al., "Tracheal Gas Insufflation Reduces the Tidal Volume While PaCo2 is Maintained Constant," Intensive Care Med., Vol. 20, 1994, pages 407-413	
	EE	Sue A. Ravenscraft MD, "Tracheal Gas Insufflation: Adjunct to Conventional Mechanical Ventilation,," Respiratory Care, Vol. 41 No. 2, 1996, pages 105-111	

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